Previous references.
G 3989-4038 42/04

1904.
(medical)

File No. 76—04

Serial Nos. 1—4

Later references.
Dec 1/6-26 no 1 G

9/1/05

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—4

Part B. for Dec. 1904

SUBJECT.

Levy of a fee in Certificates granted by medical officers.

FILE No. 76 of 1904-05.

Levy of a fee on certificates granted by Medical Officers.

1 From the Senior Surgeon, No. G. 182, dated the 23rd September 1904.
States that the Government Order of the 11th February 1904, authorising the levy of a fee on certificates granted by Medical Officers is abused by the Police and requests its substitution by the Madras Government Order of the 18th June 1904, No. 521.

2 From the General and Revenue Secretary to Government, No. 3214, dated the 14th October 1904.
Enquires whether it will not suffice to amend the Order of the 11th February 1904, by the addition to it of certain clauses contained in the Madras Government Order of the 18th June 1904.

3 From the Senior Surgeon, No. G. 324, dated the 28th November 1904.
Replies in the affirmative.

4 To the Senior Surgeon, the Heads of Departments, the Deputy Commissioners of Districts, the Presidents of Municipalities and Local Fund Boards, and the Comptroller, Government Proceedings No. 5601-42, dated the 31st December 1904.
Directs the addition, as required by the Senior Surgeon of two clauses as proviso to the Government Proceedings of the 11th February 1904, No. G. 3989-4038.

G. O. No. 3989-4038, dated 11th February 1904.

G.R.S. 11] 1904.

GENERAL AND REVENUE SECRETARIAT.

(Medical)

NOTES.

File No. 76 of 04-05

FILE HEADING.

Levy of a fee on Certificates granted by Medical Officers.

From

The Senior Surgeon & Sanitary Commr.

No. G/182 Dated 29.9.04 Received 26.9.04

Diary No. 2001 | Enclos. one Spare Copies. | Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that he has received several Complaints of the manner in which the G.O. of the 11th February 1904 is abused by the Police, and requests the substitution of that order by the Madras Govt. Order of the 18th June 1904.

NOTES AND ORDERS.

Subd with draft, though it is doubtful whether the addition is really called for.

30/9/04

Passed

4.10.1904

A Ramaiyar

4/10/04

NOTES—First sheet.

MGCPB—5,000—18-5-04

G.R.S. 12]
General and Revenue Secretariat.

File No. 76 of 1904-05

Serial No.

2 No 3214 dated the 14th October 1904 to the Senior Surgeon - Requests him to report whether it would not suffice to amend the Govt order of the 11-2-04 by the addition to it of the proviso to Clause (a) and of clauses B & C as Contained in the Madras Govt order of the 18th June 1904.

3 No 4324 (D3530) dated the 28th November 1904, from the Senior Surgeon States that the addition of clauses (b) and (c) Contained in the Madras Govt order referred to, as proviso to the order of the 11-2-04 will answer all purposes.

Submitted with draft.

D Devanayagam
7/12/04

3.12.04

5 Draft submitted to the Senior Surgeon thro the 2nd Councillor

8.12.1904

263
9.12.04.

the amendment proposed is in accordance with the Madras Rules governing the appointment.

19/12

NOTE—Contn. sheet

MGGPB—20,000—1-11-04.

3587
21.12.04

20/12/1904

G.R.S. 12]

General and Revenue Secretariat.

File No. 76 of 1904-05

Serial No.

4 To the Senior Surgeon, Heads of Depts, the Dy Commrs of Distts, the Presidents of Municipalities and Local Fund Boards and the Comptroller, Govt Prop No 5601-42 dated the 31-12-04 — Directs the amendment of the order of the 11th February, 1904, by the addition to it of certain clauses as proviso.

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

D2001 (1)

No. 182 Dated Bangalore 23rd September 1

From

Lt. Col. John Smyth M.D., I.M.S.

Offg. Senior Surgeon and Sanitary Commissioner with the Government of H.H. the Maharaja of Mysore, Bangalore.

To

S.K. Venkatavaradaiengar Esqr.,

Secretary to the Government of H.H. the Maharaja of Mysore, General and Revenue Departments, Bangalore.

Sir,

With reference to G.O. No. 3989-4038 dated 11th February 1904 authorising Medical Officers to receive fees from private persons &c., I have the honor to inform you that I have received several complaints of the manner in which that G.O. is abused by the Police. On many occasions persons who have received trifling injuries come for a certificate but go away when they learn it has to be paid for, and, applying to the Police, get a yadi, and so a certificate has to be given for nothing. I am informed that the Police frequently get a "fee" for giving the yadi.

The same trouble has been experienced in Madras and consequently the order I now enclose has been substituted for Government Order No.1332/1 dated 12th August 1880 and I shall recommend the substitution of the Mysore Government Order under reference

IV
Dues
26/9
III V.c.I
S.Jl 1/9

1904

From Lt. Col: John Smyth M.D. I.M.S.
Offg ~~The~~ Senior Surgeon and
Sanitary Commissioner,
Mysore Government,
Bangalore.

To

B. K. Venkataravadiengar Esqr
Secretary to the Government
of Mysore
General & Rev Depts
Bangalore

Dated 23.9.04

Despatched

Received

General No. G 162
No.

Enclosure No. /

Recommending the
Substitution of G.O. No. 3989-90
dated 11.2.04 authorizing Medical
Officers to receive fees from
private persons &c, by the Madras
G.O. herein enclosed.

reference by this same Government Order now enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

Col.I

Off. Senior Surgeon and San. Comm.,

PUBLIC DEPT.,

Proceedings of the Madras Government.-

Read again G.O.No.296, Public, dated 31st March 1904.-

Order:- No.521 dated 18th June 1904.-

The Surgeon General will be requested to amend paragraph 381 of the Civil Medical Code as follows:-

381 (a) A fee may be charged for a certificate or opinion given by a Medical Officer in Government, Municipal or Local -- Fund Service at the instance of a private person treated or -- examined by him in his official capacity, for any purpose, whether it be in connection with a Civil or Criminal proceeding or not, and the fact that such person was treated in a State, Municipal or Local Fund Hospital shall not exempt him from the payment of such fee to the certifying Officer. When such a certificate or opinion is given by a Commissioned Medical Officer or a permanent Civil Surgeon, he shall be entitled to a fee at the usual rate of remuneration admissible to him in the case of an ordinary certificate. When it is given by a Subordinate Medical Officer, the fee shall not exceed two days pay (without allowances) of such Officer, subject to a maximum of Rs.5/-

Provided that where a private person pleads that from poverty he cannot pay the fee demanded, the Medical Officer shall not therefore refuse to treat or examine such person and shall record the results of the examination. He may, however, in -- such case refuse to grant a certificate without the payment of a fee, but if he does so, he shall record his reasons for such refusal.

(b) A Medical Officer shall not be at liberty by directing the applicant in the first instance to produce an order from the police or otherwise, to postpone treatment or an examination he may be called on to make. If a Medical Officer in such case apprehends an improper use of his services or possible danger to himself, he should take precautions by attendance of

witness,

witnesses for his protection.

(c) Medical Officers, however, who are public servants shall not receive any fee from the public revenues for giving certificates, opinions or evidence regarding any proceeding of public interest, such as, inquests or judicial inquiries. Certificates shall invariably be granted when required by the police. If, in any case, a Medical Officer, considers that unnecessary or improper use is made of this rule by the police, he should, after granting the certificate, report the matter to the District Medical and Sanitary Officer, who will bring it to the notice of the District Magistrate. If the Officer is himself the District Medical and Sanitary Officer or a Civil Surgeon he will similarly report the matter to the District Magistrate.

" True Extract "

Sd/ W. Hammick

Ag. Chief Secretary

" C O P Y "

By order,

Personal Assistant,

to the Senior Surgeon & Secy.Commr.,

5

G.R.S. 26]

File No. 7622/05
Serial No. 2

Diary No. of letter replied to 2091

No. (3214)-76-2
Mdl. 8/14/10/04

General and Rev. Secretariat
( )
, *the* 190 .

To
The Senior Surgeon
Dated September 1904

Date of issue 20/10/04

Signed by W. St. Quinton

Re
Sir's letter No 9182 dated the 23rd September 1904, on the subject of levying a fee on Certificates granted by Medical Officers.

With reference to the above, has the honor to enquire whether it would not suffice to amend the Govt Order No 9 3989-4038 dated the 11th February

over.

1904

SUBJECT.

Enquires whether it would not suffice to amend the order of the 11-2-04 in the manner indicated.

6

1904 by the addition of the proviso to paragraph 381 and of clauses (a) (b) and (c) contained in the Madras Govt. order No 521 dated the 18th June 1904, Copy of which ~~has been received with his letter under reply~~ has been replied.

By order

A.C. 10.7.04

Secy

WB 11/10/04 - N.C.I.a.d

30/9/04

List of enclosures.

Typed
Copied by RR 13/10/04
Examined by 13/10

F76 for 05
SR3

No.G. 324

D3530 (3)

Dated Bangalore 28th November 1904.

From

Lt. Col. John Smyth M.D.,I.M.S.

Offg.Senior Surgeon and Sanitary Commissioner with the Government of H.H. the Maharaja of Mysore, Bangalore.

To

B.K. Venkatavaradaiengar Esqr.,

Secretary to the Government of H.H. the Maharaja of Mysore, General and Revenue Departments, Bangalore.

Sir,

With reference to your No.(3214)-76-2/Mdl. dated 14/20-10-04 anent the levy of fees on certificates granted by Medical Officers, I have the honor to state that the addition of Clauses (b) and (c) contained in the Madras Government Order No.521 dated 18-6-04 as proviso to Mysore Government Order No. 839-89-4038 of 11-2-04 will answer all purposes.

I have the honor to be,

Sir,

Your most obedient servant,

M.D.

Lt.Col.I.M.S.

Offg.Senior Surgeon and Sany.Commr.,

IV draw 29/11/ — III V.J. 5/12/1

1904

From Lt. Col. J. Smyth m.d. I.m.s.
Offg: ~~The~~ Senior Surgeon and
Sanitary Commissioner,
Mysore Government,
Bangalore.

To
B. K. Venkataravadanerga Esqr.
Secretary to the Government
of Mysore
Gen & Rev Dept
"
Bangalore.

Dated 28.11.04
Despatched
Received
General No. G 3224
No.

Enclosure No. Nil

Amdt the levy of fees on certificates granted by Medical Officers.

~~Sir,~~

8

G.R.S. 28]

File No. 76 04-05
Serial No. 4

Diary No. of letter replied to 3530

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 190

Date of issue 31/1/42

Signed by Sm N. Ramanja

READ.—
Correspondence ending with letter No G324 dated the 28th November, 1904, from the Senior Surgeon, stating that he has received several Complaints of the

ORDER THEREON.—No.
manner in which ~~the~~ Govt. Order No G3989-4038 dated the 11th February, 1904, directing the levy of a fee on Certificates, opinion or evidence given by a Medical Officer at the

over

SUBJECT
Amending Govt. order No G3989-4038 dated the 11th Febry. 1904, directing the levy of a fee on certificates ~~for~~ given by a Medical Officer at the instance of a private person.

MGCPB—5,000—21-6-04

instance of a private person for any purpose, is abused by the Police and proposing certain amendments to the Order referred to

Order thereon No. (5601-42)-76-4

The Govt. of H.H. the Maharaja 31/12/07
are pleased to direct that the following 2 clauses be added as proviso to the Order of the 11th February 1904

Provided that

(a) a Medical Officer shall not be at liberty, by directing the applicant in the first instance to produce an order from the police or otherwise, to postpone treatment or an examination he may be called on to make

2f

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

If a Medical Officer in such case apprehends an improper use of his services or possible danger to himself, he should take precautions by attendance of witnesses for his protection.

(6) Medical Officers, however, who are public servants shall not receive any fee from the public revenues for giving certificates, opinions or evidence regarding any proceeding of public interest, such as, inquests or judicial inquiries. Certificates shall invariably be granted when required by the Police. If, in any case, a Medical Officer considers that unnecessary or improper use is made of this rule by the Police he should, after granting the certificate, report the matter to the Distt Medl and Sanitary Officers who

" who will bring it to the notice of the Distt Magte. If the Officer is himself the Distt Med. & Sanitary Officer or a Civil Surgeon he will similarly report the matter to the Distt Magte.

Print

NP 8.12.1904

Secy

WB 7/12/04

WW 3.12.04

To, The Senior Surgeon
" Heads of Depts
" Dy Comms of Distts
" Presidents of Municipalities and Local Fund Boards.
" Comptroller.

WWD 22.XII.04

Yours &c 23.12.1904

5/12/04.

Signed by MW 26/12/04 s-r
Cancelled 27/12